IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

Bail Appl..No. 2134 of 2007()

CRIME NO.236/2007 OF KALAMASSERY POLICE STATION

: PETITIONER

P.K.CHANDRAN, AGED 42 YEARS,
S/O.KUNJAYYAPPAN, PUTHENPURAYIL HOUSE,
VADACODE P.O.,KANGARAPADY, KOCHI-682 021,
THRIKKAKARA NORTH VILLAGE, KANAYANNUR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. CIRCLE INSPECTOR OF POLICE,
KALAMASSERY POLICE STATION,
KALAMASSERY, ERNAKULAM DISTRICT.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2134/2007

Dated this 11th day of April, 2007

O R D E R

The petitioner, who is the first accused in Crime No.236/2007 of Kalamassery Police Station for offences punishable under Sections 143, 147 and 353 IPC read with Section 149 IPC and Rule 6 of the Kerala Land Utilisation Order, 1967, read with Section 7(1)(ii) of the Essential Commodities Act, 1955, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is the person who facilitated the removal of the tipper lorries, which had been restrained there by the Tahasildar, consequent on the detection of the offence under the land utilisation order.

3. Even though anticipatory bail cannot be granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for regular bail ordered by the Magistrate concerned.

4. Accordingly, the petitioner is directed to surrender before the Investigating Officer between 9.30 a.m and 11.00 a.m on any day between 18.4.2007 and 20.4.2007 for the purpose of interrogation. The petitioner shall, thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall release the petitioner on bail on appropriate conditions including one ensuring that he shall make himself available for interrogation as and when required by the police and that he shall not commit any offence while on bail.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs